

(3)



## UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 15 2002

48

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILED/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/017,766	12/14/2001	Donald K. Smith	MKI-002

CONFIRMATION NO. 8173

## FORMALITIES LETTER



\*OC00000007657690\*

21323  
 TESTA, HURWITZ & THIBEAULT, LLP  
 HIGH STREET TOWER  
 125 HIGH STREET  
 BOSTON, MA 02110

Date Mailed: 03/18/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/17/2002 BABRAHA1 00000018 10017766

01 FC:101	740.00 OP
02 FC:105	130.00 OP
03 FC:103	468.00 OP
04 FC:102	168.00 OP

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$636.
  - \$468 for 26 total claims over 20.
  - \$168 for 2 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1506.

COPY OF PAPERS  
ORIGINALLY FILED

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT  
Attorney Docket No. MKI-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Smith et al.

SERIAL NO.: 10/017,766 GROUP NO.: 2881

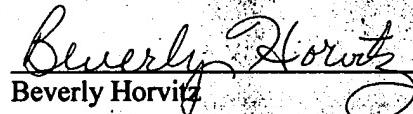
FILING DATE: December 14, 2001 EXAMINER: Not Yet Assigned

TITLE: ION STORAGE SYSTEM

COPY OF PAPERS  
ORIGINALLY FILED

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, Washington, DC 20231 on this 8th day of July, 2002.

  
Beverly Horvitz

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith is/are:

1. Transmittal Form (1 page)
2. Fee Transmittal (1 page)
3. Petition for Extension of Time (1 page)
4. Check in the amount of \$1,906.00
5. Copy of Notice to File Missing Parts of Nonprovisional Application (1 page)
6. Declaration and Power of Attorney for Utility or Design Patent Application (3 pages)
7. Return Receipt Postcard

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L 15 2002  
PATENT & TRADEMARK OFFICE  
**TRANSMITTAL  
FORM**

Application Serial Number	10/017,766
Filing Date	December 14, 2001
First Named Inventor	Smith
Group Art Unit	2881
Examiner Name	Not Yet Assigned
Attorney Docket No.	MKI-002
Patent No.	Not applicable
Issue Date	Not applicable

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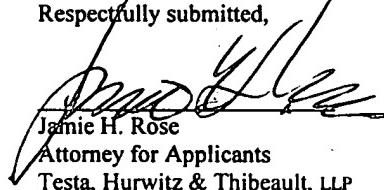
**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Check Attached</li> <li><input type="checkbox"/> Copy of Fee Transmittal Form</li> </ul>	<input checked="" type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <ul style="list-style-type: none"> <li><input type="checkbox"/> Formal Drawing(s)</li> </ul>	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <ul style="list-style-type: none"> <li><input type="checkbox"/> Appeal Brief (in triplicate)</li> </ul>
<input type="checkbox"/> Amendment/Response <ul style="list-style-type: none"> <li><input type="checkbox"/> Preliminary</li> <li><input type="checkbox"/> After Final</li> <li><input type="checkbox"/> Affidavits/declaration(s)</li> <li><input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]</li> </ul>	<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Power of Attorney (Revocation of Prior Powers)</li> <li><input type="checkbox"/> Terminal Disclaimer</li> </ul>	<input type="checkbox"/> Status Inquiry <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Return Receipt Postcard</li> <li><input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8</li> <li><input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8</li> <li><input type="checkbox"/> Additional Enclosure(s) (please identify below)</li> </ul>
<input checked="" type="checkbox"/> Petition for Extension of Time	<input checked="" type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <ul style="list-style-type: none"> <li><input type="checkbox"/> Small Entity Statement</li> <li><input type="checkbox"/> CD(s) for large table or computer program</li> </ul>	
<input type="checkbox"/> Information Disclosure Statement <ul style="list-style-type: none"> <li><input type="checkbox"/> Form PTO-1449</li> <li><input type="checkbox"/> Copies of IDS Citations</li> </ul>	<input type="checkbox"/> Amendment After Allowance <ul style="list-style-type: none"> <li><input type="checkbox"/> Request for Certificate of Correction</li> <li><input type="checkbox"/> Certificate of Correction (in duplicate)</li> </ul>	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Sequence Listing submission <ul style="list-style-type: none"> <li><input type="checkbox"/> Paper Copy/CD</li> <li><input type="checkbox"/> Computer Readable Copy</li> <li><input type="checkbox"/> Statement verifying identity of above</li> </ul>		

**CORRESPONDENCE ADDRESS**

Direct all correspondence to: Patent Administrator  
 Testa, Hurwitz & Thibeault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
 Fax No.: (617) 248-7100

**SIGNATURE BLOCK**

Respectfully submitted,  
  
 Date: July 8, 2002  
 Reg. No. 45,054  
 Tel. No.: (617) 248-7376  
 Fax No.: (617) 248-7100

Jamie H. Rose  
 Attorney for Applicants  
 Testa, Hurwitz & Thibeault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110

**EE TRANSMITTAL**  
FY 2002  
JUL 15 2002

Complete if known	
Application Serial Number	10/017,766
Filing Date	December 14, 2001
First Named Inventor	Smith
Group Art Unit	2881
Examiner Name	Not Yet Assigned
Attorney Docket No.	MKI-002

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**METHOD OF PAYMENT**

1.  Payment Enclosed:  
 Check  Money Order  Other
2.  The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.
  - Required Fees (copy of this sheet enclosed).
  - Additional fee required under 37 CFR 1.16 and 1.17.
  - Overpayment Credit.
3.  Applicant claims small entity status.

**EE CALCULATION**

**1. FILING FEE**

Large Entity	Fee (\$)	Fee Description	Fee Paid
740	Utility filing fee		740.00
330	Design filing fee		
160	Provisional filing fee		

	Number Filed	Number Extra	Rate	Amount
Total Claims	46	- 20 = 26	x \$ 18.00 =	468.00

Independent Claims	5	- 3 = 2	x \$ 84.00 =	168.00
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Multiple Dependent Claim(s), if any      \$280.00 =

TOTAL: 1,376.00  
SMALL ENTITY DISCOUNT: 0  
SUBTOTAL (1) (\$ 1,376.00)

**2. AMENDMENT CLAIM FEES**

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
Total	-	=	x \$ 18.00 =	
Indep.	-	=	x \$ 84.00 =	
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$280.00 =	

TOTAL: (\$)  
SMALL ENTITY DISCOUNT: (\$)  
SUBTOTAL (2) (\$0)

**EE CALCULATION (continued)**

**3. ADDITIONAL FEES**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	130.00
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	400.00
920	460	Extension for reply within third month	
1440	720	Extension for reply within fourth month	
1960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	
740	370	Filing a submission after final rejection (37 CFR 1.129(a))	
740	370	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	

Other fee (Specify)

Other fee (Specify)

SUBTOTAL (3) (\$ 530.00)

SUBTOTAL (1) 1,376.00

SUBTOTAL (2) 0

SUBTOTAL (3) 530.00

TOTAL (\$ 1,906.00)

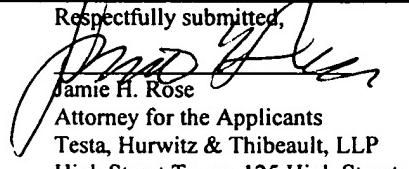
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Respectfully submitted,

  
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